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ATTORNEY DOCKET NO. APPLICATION NO. FILING DATE FIRST NAMED INVENTOR CONFIRMATION NO. Kemal Guler 10014420 2098 07/11/2001 09/904,311 **EXAMINER** 7590 09/07/2005 HEWLETT-PACKARD COMPANY BASHORE, ALAIN L Intellectual Property Administration ART UNIT PAPER NUMBER P.O. Box 272400 Fort Collins, CO 80527-2400 1762

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	A 1: 4: 1:	[ A 1 4 - \	<u> </u>
	Application No.	Applicant(s)	
Office Action Summary	09/904,311	GULER ET AL.	
	Examiner	Art Unit	
	Alain L. Bashore	1762	
The MAILING DATE of this communicatio Period for Reply	n appears on the cover sheet w	vith the correspondence addre	ess
A SHORTENED STATUTORY PERIOD FOR R WHICHEVER IS LONGER, FROM THE MAILIN - Extensions of time may be available under the provisions of 37 C after SIX (6) MONTHS from the mailing date of this communication If NO period for reply is specified above, the maximum statutory in the set of extended period for reply will, by the Any reply received by the Office later than three months after the earned patent term adjustment. See 37 CFR 1.704(b).	IG DATE OF THIS COMMUN FR 1.136(a). In no event, however, may a on. period will apply and will expire SIX (6) MO statute, cause the application to become A	ICATION. reply be timely filed  NTHS from the mailing date of this comm BANDONED (35 U.S.C. § 133).	
Status			
1) Responsive to communication(s) filed on	17 June 2005		
	This action is non-final.		
3) Since this application is in condition for al		tters, prosecution as to the m	erits is
closed in accordance with the practice un	·		
Disposition of Claims			
4) ☐ Claim(s) 22-47 is/are pending in the appli 4a) Of the above claim(s) is/are wit 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 22,26,30,34,39 and 42 is/are rej 7) ☐ Claim(s) 23-25,27-29,31-33,35-38,40,41 and 8) ☐ Claim(s) are subject to restriction and subject to restrict	hdrawn from consideration. ected. and 43-47 is/are objected to.		
Application Papers			
9) The specification is objected to by the Exa	miner		
10) The drawing(s) filed on is/are: a)		by the Examiner.	
Applicant may not request that any objection t			•
Replacement drawing sheet(s) including the c	7,7	· ·	1.121(d).
11) The oath or declaration is objected to by the	ne Examiner. Note the attache	ed Office Action or form PTO-	152.
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for for a) All b) Some * c) None of:  1. Certified copies of the priority document of the priority document of the certified copies of the priority document of the copies of the application from the International Between the attached detailed Office action for	ments have been received. ments have been received in a priority documents have been ureau (PCT Rule 17.2(a)).	Application No n received in this National Sta	age
<i>,</i>			
Attachment(s)			
Notice of References Cited (PTO-892)	4) Interview	Summary (PTO-413)	
2) 🔲 Notice of Draftsperson's Patent Drawing Review (PTO-94	8) Paper No	(s)/Mail Date	0)
<ul> <li>Information Disclosure Statement(s) (PTO-1449 or PTO/S Paper No(s)/Mail Date</li> </ul>	B/08) 5) ☐ Notice of 6) ☐ Other:	Informal Patent Application (PTO-15 	(2)

#### **DETAILED ACTION**

### Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 22, 26, 30, 34, 39, 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bansal et al in view of Hogg et al.

Bansal et al discloses a method for determining risk attitudes for bidders. Auction data is analyzed of previously conducted auctions and risk attitudes for bidders is determined (para 0148, 0149, 0123). Additional auctions may be conducted (para 0151).

Bansal et al does not disclose:

determining private information for the bidders submitted in a utilityindependent auction. Application/Control Number: 09/904,311 Page 3

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Hogg et al discloses determining private information for the bidders (para 0022), conducting further auctions to determine sufficient private information (para 0024), and a table (fig 3).

It would have been obvious to one with ordinary skill in the art to include determining private information for the bidders submitted in a utility-independent auction because Hogg et al teaches that important information may be gathered from such information in any auction (para 0005) and because Hogg et al teaches variability in information needed (para 0024).

#### Allowable Subject Matter

- 3. Claims 23-25, 27-29, 31-33, 35-38, 40-41, 43-47 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
- 4. Allowable subject matter requires a second level review for applications in class 705 before a notice of allowance is mailed to applicant. The time period for review may vary from application to application.

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## Response to Arguments

5. Applicant's arguments filed 7-17-05 regarding the independent claims have been fully considered but they are not persuasive. Risk class information gathering is encompassed within the recitation of determining risk attitudes.

#### Conclusion

6. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 571-272-6739. The examiner can normally be reached on about 7:30 am to 5:00 pm (Mon. thru Thurs.).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Regarding all Class 705 applications, the management contact regarding examination is: Vincent Millin (SPE, art unit 3624) at 571-272-6747.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alain L. Bashore
Primary Examiner
Art Unit 1762